

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)	
U.S. Patent No.: 6,367,375)	
Sjoerd HUITEMA et al.)	Group Art Unit: Unassigned
Application No.: Unassigned)	Examiner: Unassigned
Filed: Concurrently Herewith)	Confirmation No.: Unassigned
For: APPARATUS FOR CUTTING)	
AND STIRRING CURD)	

DECLARATION OF SJOERD HUITEMA UNDER 37 C.F.R. §1.175(a)

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant, Sjoerd Huitema, hereby declares that he is a joint inventor residing at Tunkersstrjitte 50, 8723EP Koudum, the Netherlands.

Sjoerd Huitema, a citizen of Netherlands, residing in Koudum, the Netherlands, and having a post office address of Tunkersstrjitte 50, 8723EP Koudum, the Netherlands, and Sijmen Sipma, a citizen of Netherlands residing in De Knipe, the Netherlands, and having a post office address of Houtbaas 5, 8456HW De Knipe, the Netherlands, declare that they are the first, original and joint inventors of the subject matter claimed in the above-identified Reissue Patent Application.

Applicant verily believes the original United States Letters Patent No. 6,367,375 to be partly inoperative by reason of the Patentees claiming less than they had a right to claim in the patent.

Since the time of issuance of the '375 patent, and by virtue of an independent study of the claims of the '375 patent, Petitioner has become aware that independent claim 1 of the '375 patent has certain limitations that unnecessarily restrict the scope of protection afforded by the patent. Examples of such limitations are that the claims are directed to the tank combination and none of the claims is directed to the cutting frame per se and that claim 1 states that the transverse knives are mounted on the frame girders "by welding". Further, in dependent claim 4, the longitudinal knives are stated to be connected to the transverse knives "by welding".

In addition, claim 1 defines the shape of the openings as circular or oval. The invention involves having openings larger than the longitudinal knives. Therefore, claim 1 is unnecessarily narrow. Applicant has claimed less than he had the right to claim.

All errors which are being corrected in the present reissue application up to the time of filing of this Declaration arose without any deceptive intention on the part of the Applicant.

Applicant has reviewed and understands the contents of the specification, including the amended claims and the new claims presented in the Preliminary Amendment filed concurrently in the above-identified Reissue Patent Application.

Reissue of U.S. Patent No. 6,367,375

Application No. Unassigned

Attorney's Docket No. 027651-225

Page 3

Applicant claims the right of priority of The Netherlands Patent Application No. 101,3083, filed September 17, 1999 pursuant to 35 U.S.C. § 119, and the priority of U.S. Patent Application Serial No. 09/659,994, filed September 12, 2000 pursuant to 35 U.S.C. § 120.

Applicant acknowledges the duty to disclose information of which Applicant is aware that is material to patentability of the above-identified Reissue Patent Application in accordance with 37 C.F.R. § 1.56(a).

Applicant further declares that all statements made herein of Applicant's own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: April 6, 2004

By: _____
Name: Sjoerd Huitema

A handwritten signature in black ink, appearing to read 'SjH' followed by a stylized flourish or underline.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)	
U.S. Patent No.: 6,367,375)	
)	Group Art Unit: Unassigned
Sijmen SIPMA et al.)	
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Application No.: Unassigned)	
)	Confirmation No.: Unassigned
Filed: Concurrently Herewith)	
)	
For: APPARATUS FOR CUTTING)	
AND STIRRING CURD)	

DECLARATION OF SIJMEN SIPMA UNDER 37 C.F.R. §1.175(a)

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant, Sijmen Sipma, hereby declares that he is a joint inventor residing at Houtbaas 5, 8456HW De Knipe, The Netherlands.

Sijmen Sipma, a citizen of Netherlands, residing in the De Knipe, the Netherlands, and having a post office address of Houtbaas 5, 8456HW De Knipe, The Netherlands, and Sjoerd Huitema, a citizen of Netherlands residing in Koudum, the Netherlands, and having a post office address of Tunkersstrjitte 50, 8723EP Koudum, the Netherlands, declare that they are the first, original and joint inventors of the subject matter claimed in the above-identified Reissue Patent Application.

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Applicant further declares that all statements made herein of Applicant's own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: 06/04/2004

By: 

Name: Sijmen Sipma

Attorney's Docket No. 027651-225

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: TETRA LAVAL HOLDINGS AND FINANCE, S.A.

Application No./Patent No.: 6,367,375 Filed/Issue Date: April 9, 2002

Entitled: APPARATUS FOR CUTTING AND STIRRING CURD

TETRA LAVAL HOLDINGS AND FINANCE, S.A.

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011498, Frame 0281, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

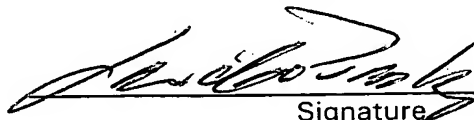
1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: April 6, 2004


Signature

Lars Ake Forsberg

Typed or printed name

Corporate Patent Manager

Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)	
U.S. Patent No.: 6,367,375)	
Sijmen SIPMA et al.)	Group Art Unit: Unassigned
Application No.: Unassigned)	Examiner: Unassigned
Filed: Concurrently Herewith)	Confirmation No.: Unassigned
For: APPARATUS FOR CUTTING)	
AND STIRRING CURD)	

OWNERSHIP BY ASSIGNEE AND POWER OF ATTORNEY

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Assignee has reviewed documentary evidence of the chain of title from the original owner to the Assignee recorded in the U.S. Patent and Trademark Office at Reel 011498, Frame 0281, and certifies that to the best of its knowledge and belief it is the owner of the entire right, title and interest in and to United States Letters Patent No. 6,367,375 and the above-identified application for reissue of such patent. A copy of the Assignment is attached.

As assignee of the entire interest in U.S. Patent No. 6,367,375 hereby revokes all prior powers of attorney and appoints Robert S. Swecker, Registration No. 19,885, Matthew L. Schneider, Registration No. 32,814, and Wendi L. Weinstein, Registration No. 34,456, to prosecute and transact all business in the

Reissue of U.S. Patent No. 6,367,375

Application No. Unassigned

Attorney's Docket No. 027651-225

Page 2

U.S. Patent and Trademark Office in connection with the above-identified application
for reissue of U.S. Patent No. 6,367,375.

Respectfully Submitted

TETRA LAVAL HOLDINGS & FINANCE S.A.

Date: April 6, 2004

By: 
Name: Lars-Åke Forsberg

Patent Assignment Abstract of Title

**NOTE: Results display only for issued patents and published applications.
For pending or abandoned applications please consult USPTO staff.**

Total Assignments: 1

Patent #: 6257129 **Issue Dt:** 07/10/2001 **Application #:** 09659994 **Filing Dt:** 09/12/2000

Inventors: Sijmen Sipma, Sjoerd Huitema

Title: Apparatus for cutting and stirring curd

Assignment: 1

Reel/Frame: 011498/0281

Recorded: 01/29/2001

Pages: 2

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: SIPMA, SIJMEN

Exec Dt: 12/19/2000

HUITEMA, SJOERD

Exec Dt: 12/19/2000

Assignee: TETRA LAVAL HOLDINGS & FINANCE S.A.

AVENUE GENERAL-GUISAN 70

CH-1009 PULLY, SWITZERLAND

Correspondent: FULBRIGHT & JAWORSKI L.L.P.

ROBERT BERLINER, ESQ.

865 SOUTH FIGUEROA STREET, 29TH FLOOR

LOS ANGELES, CA 90017

Search Results as of: 3/31/2004 12:31:36 P.M.

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PATENTS ON

Docket No. 6800 1023985

02-12-2001

DEPT. OF COMMERCE
Trademark Office



101611117

Tab settings → → → ▼

To the Honorable Commissioner of Patents and Trademarks: Please rec

Original documents or copy thereof.

1. Name of conveying party(ies):

Sijmen Sipma
Sjoerd Huitema

1.79.01

2. Name and address of receiving party(ies):

Name: Tetra Laval Holdings & Finance S.A.

Address: Avenue General-Guisan 70

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

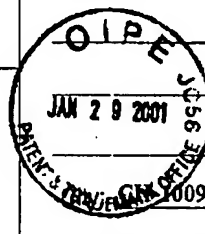
☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: December 19, 2000



1009 PULLY

State/Prov.: _____

Country: SWITZERLAND

ZIP: _____

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

B. Patent No.(s)

09/659,994

September 12, 2000

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert Berliner, Esq.

Registration No. 20,121

Address: FULBRIGHT & JAWORSKI L.L.P.

865 South Figueroa Street; 29th Floor

City: Los Angeles

State/Prov.: CA

Country: USA

ZIP: 90017

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

50-0337

2/09/2001 DBYRNE 00000157 500337 09659994

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert Berliner

Name of Person Signing

Signature

January 19, 2001

Date

2

Total number of pages including cover sheet, attachments, and

PATENT

REEL: 011498 FRAME: 0281

Assignment

In consideration of One Dollar (\$ 1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned,

Sijmen Sipma - Houtbaas 5, 8456 HW DE KNIPE, the Netherlands
Sjoerd Huitema - Tunkersstraat 50, 8723 EP KOUDUM, the Netherlands

Hereby sell, assign and transfer to Tetra Laval Holdings & Finance S.A.

a corporation of Switzerland
having a place of business at Avenue General-Guisan 70, CH-1009 PULLY
its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, for which I filed an application for United States letters Patent on September 12, 2000, which application was accorded application no. 09/659,994 and is entitled "Apparatus for Cutting and Stirring Curd."

,and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patent and all patents on said improvements, if said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date 10-12-2000

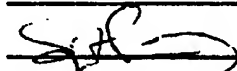
Date 10-12-2000

Date _____

Date _____

Date _____

 S. Sipma

 S. Huitema

RECORDED: 01/29/2001

PATENT
REEL: 011498 FRAME: 0282